



GP 1744

PATENT
1991-174 (81841.0154)

4.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Donald J. Gjerdingen, et al.

Serial No: 09/811,028

Filed: March 16, 2001

For: ROTARY INCUBATION STATION
FOR IMMUNOASSAY SYSTEMS

Art Unit: 1744

Examiner: Unassigned

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**TRANSMITTAL OF INFORMATION
DISCLOSURE STATEMENT**Commissioner for Patents
Washington, D.C. 20231

Dear Sirs:

1. ☒ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

§1.97(e) STATEMENT

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

OR FEE

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

§1.97(e) STATEMENT

I, the person signing below, state:

☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

AND FEE

☐ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).

4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314.
5. ☒ A list of 17 reference(s) is in the enclosed Form PTO-1449.

NON-ENGLISH LANGUAGE REFERENCES

☐ Enclosed is a search report for a counterpart application. The search report Examiner has provided comments on the relevancy of any non-English language references cited in the search report.

- ☐ The specification incorporates comments on the relevancy of Non-English language references.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,
HOGAN & HARTSON L.L.P.

Date: May 29, 2001

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Docket Number (Optional)
1991-174 (81841-0154)Application Number
09/811,028

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Donald J. Gjerdingen, et al.

Filing Date

March 16, 2001

Group Art Unit

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILED DATE APPROPRIATE
	3,787,185	01-22-1974	Rohrbaugh et al.	23	253	
	4,219,529	08-26-1980	Tersteeg et al.	422	65	
	4,250,266	02-10-1981	Wade	435	289	
	5,104,807	04-14-1992	Mitsumaki et al.	436	47	
	5,192,506	03-09-1993	Kureshy et al.	422	64	
	5,200,151	04-06-1993	Long	422	100	
	5,207,987	05-04-1993	Kureshy et al.	422	67	
	5,246,665	09-21-1993	Tyranski et al.	422	64	
	5,294,404	03-15-1994	Grandone et al.	422	64	
	5,320,809	06-14-1994	Dunn et al.	422	64	
	5,324,481	06-28-1994	Dunn et al.	422	64	
	5,374,395	12-20-1994	Robinson et al.	422	64	
	5,885,529	03-23-1999	Babson et al.	422	65	
	5,885,530	03-23-1999	Babson et al.	422	65	
	5,985,672	11-16-1999	Kegelman et al.	436	50	
	6,096,272	08-01-2000	Clark et al.	422	64	
	6,096,561	08-01-2000	Tayi	436	518	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.